

§ 1.35-2

Credit computed under section 35(a); 3 percent of \$4,500	135
<i>Section 35(b)(1)</i>	
Tax imposed by chapter 1	840
Less:	
Credit allowed under section 33	\$610
Credit allowed under section 34	120
	<hr/>
	\$730
Limitation on credit under section 35(b)(1)	110
<i>Section 35(b)(2)</i>	
Taxable income	4,000
Limitation on credit under section 35(b)(2); 3 percent of \$4,000	120

Since of the three figures (\$135, \$110, and \$120), the lesser is \$110, A's credit under section 35 is limited to \$110.

§ 1.35-2 Taxpayers not entitled to credit.

For taxable years beginning after December 31, 1957, no credit shall be allowed under section 35 to a nonresident alien individual with respect to whom a tax is imposed for such taxable year under section 871(a).

§ 1.36B-0 Table of contents.

This section lists the captions contained in §§ 1.36B-1 through 1.36B-5.

§ 1.36B-1 Premium tax credit definitions.

- (a) In general.
- (b) Affordable Care Act.
- (c) Qualified health plan.
- (d) Family and family size.
- (e) Household income.
 - (1) In general.
- (2) Modified adjusted gross income.
- (f) Dependent.
- (g) Lawfully present.
- (h) Federal poverty line.
- (i) [Reserved]
- (j) Advance credit payment.
- (k) Exchange.
 - (1) Self-only coverage.
 - (m) Family coverage.
 - (n) Rating area.
- (o) Effective/applicability date.

§ 1.36B-2 Eligibility for premium tax credit.

- (a) In general.
- (b) Applicable taxpayer.
 - (1) In general.
- (2) Married taxpayers must file joint return.
- (3) Dependents.
- (4) Individuals not lawfully present or incarcerated.
- (5) Individuals lawfully present.
- (6) Special rule for taxpayers with household income below 100 percent of the Federal poverty line for the taxable year.
- (7) Computation of premium assistance amounts for taxpayers with household in-

26 CFR Ch. I (4-1-13 Edition)

- come below 100 percent of the Federal poverty line.
- (c) Minimum essential coverage.
 - (1) In general.
 - (2) Government-sponsored minimum essential coverage.
 - (i) In general.
 - (ii) Obligation to complete administrative requirements to obtain coverage.
 - (iii) Special rule for coverage for veterans and other individuals under chapter 17 or 18 of title 38, U.S.C.
 - (iv) Retroactive effect of eligibility determination.
 - (v) Determination of Medicaid or Children's Health Insurance Program (CHIP) ineligibility.
 - (vi) Examples.
- (3) Employer-sponsored minimum essential coverage.
 - (i) In general.
 - (ii) Plan year.
 - (iii) Eligibility for months during a plan year.
 - (A) Failure to enroll in plan.
 - (B) Waiting periods.
 - (C) Example.
 - (iv) Continuation coverage.
 - (v) Affordable coverage.
 - (A) In general.
 - (1) Affordability for employee.
 - (2) Affordability for related individual.
 - (3) Employee safe harbor.
 - (4) Wellness incentives and employer contributions to health reimbursement arrangements.
 - (B) Affordability for part-year period.
 - (C) Required contribution percentage.
 - (D) Examples.
 - (vi) Minimum value.
 - (vii) Enrollment in eligible employer-sponsored plan.
 - (A) In general.
 - (B) Automatic enrollment.
 - (C) Examples.
 - (4) Related individual not claimed as a personal exemption deduction.

§ 1.36B-3 Computing the premium assistance credit amount.

- (a) In general.
- (b) Definitions.
- (c) Coverage month.
 - (1) In general.
 - (2) Premiums paid for a taxpayer.
 - (3) Examples.
 - (d) Premium assistance amount.
 - (e) Adjusted monthly premium.
 - (f) Applicable benchmark plan.
 - (1) In general.
 - (2) Family coverage.
 - (3) Silver level plan not covering a taxpayer's family.
 - (4) Family members residing at different locations.
 - (5) Plan closed to enrollment.